

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Glazer et al.

Serial No. 10/617,012

Filed: July 10, 2003

For: *Multifunctional Recombinant
Phycobiliprotein-Based Fluorescent
Constructs and Phycobilisome Display*

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

Attorney Docket No. B00-016-3

CERTIFICATE OF MAILING

I hereby certify that this corr. is being deposited with the US Postal Service as First Class Mail in an envelope addressed to the Comm. for Patents, PO Box 1450, Alexandria, VA 22313-1450 on September 5, 2003.

Signed

Rebecca Graff

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97 (b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In accordance with 37 C.F.R. §1.56, this Information Disclosure Statement is being submitted for the above-referenced application.

Applicant requests the Office to consider this Information Disclosure Statement under 37 C.F.R. §1.97 (b). Accordingly no fees are due for consideration of the items listed on the attached 1449 form.

The submitted Toole thesis was provided to Applicants by a third party. Applicants have been unable to document a publication date. The corresponding UMI ProQuest citation (Publication Number AAT 9839498, also submitted herewith), self-reports a Jan 1999 date.

The present invention was made in 1995, and the inventors have lab notebooks documenting their invention in 1997 and early 1998 (see attached 1.131 Declaration and Exhibit IV, also submitted in copending application Serial No. 10/617,208). Accordingly, the submitted material will not be available as prior art under 35USC102(a) or (b) if it was published on or after 12/21/98.

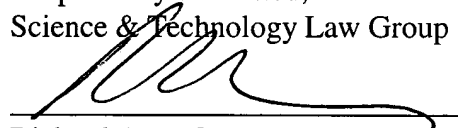
10/617,012

In accordance with 37 C.F.R. §1.97 (g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined by 37 C.F.R. §1.56 exists.

In accordance with 37 C.F.R. §1.97 (h) the disclosure contained herein is not intended to constitute an admission that any patent, publication, or other information referred to is "prior art" or "analogous art" for this invention.

The Commissioner is authorized to charge any fees, if necessary, to Deposit Account No. 19-0750. (Order B00-016-3)

Respectfully submitted,
Science & Technology Law Group



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encls. 1.131 Declaration and Exhibit IV (18p)

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.